IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2664 OF 2004

Sesa Goa Ltd. ...Applicant
Vs.
State of Maharashtra & Anr. ...Respondents

Mr Z. Andhyarjuna i/by Udwadia & Udwadia for the Applicant.
Mr Amit Desai h/for Shri P.D. Desai for the Respondents.

CORAM : A.M. KHANWILKAR, J.
DATE : DECEMBER 02, 2005.

P.C.:

1. This Application takes exception to the order passed on 14th May, 2004 by the Trial Court in case No.4/S/2000 rejecting the Application preferred by the Applicant disputing the procedure followed in the service of summons on the address of the Applicant-Company which summmons was intended to be sent to the Ex-Director of Subsidiary of the Applicant-Company.

2. It is unnecessary to go into the various issues raised in the Application, in view of the subsequent development. In that, the Respondent-Complainant is now persuing the matter against the said accused who happened to be Ex-Director of the Subsidiary of the Applicant-Company on his last known address at Japan. In view of this

development, even the Counsel appearing for the Respondent-Complainant submits that the present Petition can be disposed of as infructuous.

3. It is made clear that the Respondent-Complainant accepts the position that the summons to be sent will have to be on the last known address of the concerned accused who is presently in Japan. According to the Respondent-Complainant, the concerned accused was Director of the Applicant-Company at the relevant time. It is not necessary for this Court to go into that issue.

4. Application is disposed of in the above terms.

A.M.KHANWILKAR, J.